

CV-05 0967

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

**BRUCE KANTOR, On Behalf of Himself and
All Others Similarly Situated**

Plaintiff(s),

VS.

VEECO INSTRUMENTS INC., EDWARD H. BRAUN, AND JOHN F. REIN, JR.,

Defendant(s).

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FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

RELATED CASE AFFIDAVIT

FEB 18 2005

LONG ISLAND OFFICE

WEXLER, J.

BOYLE, M.


[illegible]

SAMUEL H. RUDMAN, affirms and says:

1. I am an associate with the law firm of Lerach Coughlin Stoia Geller Rudman and Robbins LLC, attorneys for plaintiff in the above-captioned action, which is brought under federal law in connection with alleged violations of the federal securities laws.

2. Upon information and belief, this action is related to the previously-filed action captioned *McIntosh v. Veeco Instruments, Inc., et al.*, No. 05-CV-889, which also asserts similar claims based on violations of the federal securities laws by defendants and arises out of the same nucleus of common operative facts as that action.

3. Accordingly, it is respectfully submitted that this action should be assigned as a related case to the Judge Wexler.


Samuel H. Rudman

Sworn to me this 18th
day of February, 2005.

Kelly Hadelman
Notary Public

KELLY A. STADELMANN
Notary Public, State of New York
No. 01ST6047260
Qualified in Nassau County
Commission Expires August 28, 2002